

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Lawrence E. Maglin
Debtor(s)

Bankruptcy Case No.: 20-22300-GLT
Issued Per Nov. 19, 2020 Proceeding
Chapter: 13
Docket No.: 28 - 2
Concil. Conf.: February 4, 2021 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 3, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,482 as of December 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Feb. 4, 2021 at 09:00 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Pittsburgh Water and Sewer Authority (Claim No. 4); Nationstar Mortgage, LLC (Claim No. 5); City and School District of Pittsburgh (Claim No. 8) .
- ☒ H. Additional Terms: The secured claim of Santander Consumer USA (Claim No. 1) shall govern as to claim amount, to be paid at the modified plan interest in a monthly amount to be determined by Trustee to pay in full.

Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: November 20, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Lawrence E. Maglin
Debtor(s)

Case No. 20-22300-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Nov 20, 2020

User: jhel
Form ID: 149

Page 1 of 2
Total Noticed: 24

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 22, 2020:

Recip ID	Recipient Name and Address
db	+ Lawrence E. Maglin, 3416 Beechwood Boulevard, Pittsburgh, PA 15217-2963
cr	+ City and School District of Pittsburgh, GRB Law, 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219 UNITED STATES 15219-6101
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
cr	+ Pittsburgh Water & Sewer Authority, GRB Law, 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219 UNITED STATES 15219-6101
15273259	+ Barry W. Krengel, Esquire, 2 Liberty Place, 35th Floor, 50 South 16th Street, Philadelphia, PA 19102-2516
15298428	+ Brunner Quinn, 35 N. Fourth Street, Suite 200, Columbus, Ohio 43215, Columbus, OH 43215-3641
15296127	+ City and School District of Pittsburgh, 437 Grant Street, 14th Floor, Pittsburgh, PA 15219-6101
15273261	++ DSNB MACY S, CITIBANK, 1000 TECHNOLOGY DRIVE MS 777, O FALLON MO 63368-2222 address filed with court:, Macy's, 9111 Duke Boulevard, Mason, OH 45040
15273262	+ Mr. Cooper Mortgage, 350 Highland Drive, Lewisville, TX 75067-4488
15285624	+ NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER, P.O. Box 619096, Dallas, TX 75261-9096
15279096	+ Pittsburgh Water and Sewer Authority, GRB Law, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building Pittsburgh PA 15219-6101
15273264	+ Recovery Funding, 35 North Fourth Street Suite 200, Columbus, OH 43215-3641
15276400	+ SANTANDER CONSUMER USA, P.O. Box 560284, Dallas, TX 75356-0284
15273266	+ SMS Financial Services, 6829 North 12th Street, Phoenix, AZ 85014-1109
15273265	+ Santander Financial, 8585 North Stemmons Freeway, Dallas, TX 75247-3822
15289703	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123

TOTAL: 16

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 21 2020 01:32:40	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15273260	+ Email/Text: ccusa@ccuhome.com	Nov 21 2020 01:43:00	Credit Collections U.S.A., 16 Distributor Drive, Suite 1, PO Box 873, Morgantown, WV 26507-0873
15276764	+ Email/Text: DSLBKYP@discover.com	Nov 21 2020 01:44:00	Discover Student Loans, PO Box 30925, Salt Lake City, UT 84130-0925
15298046	+ Email/Text: kbarkley@bernsteinlaw.com	Nov 21 2020 01:45:00	Duquesne Light Company, c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15273263	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 21 2020 01:31:25	Portfolio Recovery, 120 Corporate Blvd., Ste. 1, Norfolk, VA 23502
15287891	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 21 2020 01:32:40	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15278454	+ Email/Text: Iferreira@smsfinancial.net	Nov 21 2020 01:44:00	SMS FINANCIAL P, LLC, 6829 NORTH 12TH STREET, PHOENIX, AZ 85014-1109
15273687	+ Email/PDF: gecsed@recoverycorp.com	Nov 21 2020 01:31:21	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA

District/off: 0315-2

User: jhel

Page 2 of 2

Date Rcvd: Nov 20, 2020

Form ID: 149

Total Noticed: 24

23541-1021

TOTAL: 8

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945

TOTAL: 1 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 22, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 20, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER bnicholas@kmlawgroup.com
Jeffrey R. Hunt	on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com cnoroski@grblaw.com
Jeffrey R. Hunt	on behalf of Creditor City and School District of Pittsburgh jhunt@grblaw.com cnoroski@grblaw.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ccpeoples@grblaw.com PNGbankruptcy@peoples-gas.com
Shawn N. Wright	on behalf of Debtor Lawrence E. Maglin shawn@shawnwrightlaw.com wrightshawn@hotmail.com;wrightshawn49@gmail.com;wrightshawnecf@gmail.com;molly@shawnwrightlaw.com

TOTAL: 8